

**FILING RECEIPT**

\*OC00000005193243\*

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: ASSISTANT SECRETARY AND  
COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
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60/195,347

04/10/2000

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**RECEIVED**

AUG 13 2003

Technology Center 2600

Date Mailed: 06/22/2000

Receipt is acknowledged of this provisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Sanjiv (Sam) K. Agarwal, Richardson, TX ;  
 Neetu Agarwal, Richardson, TX ;  
 Shivum Agarwal, Richardson, TX ;  
 Neil Agarwal, Richardson, TX ;

**Continuing Data as Claimed by Applicant****Foreign Applications****If Required, Foreign Filing License Granted 06/21/2000****Title**

Electronic messaging engines

**Preliminary Class**

Data entry by : TRAN, NHU THUY

Team : OIPE

Date: 06/22/2000



08/06/2003



US Patents and Trademarks Office

Art Unit 2645

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, Virginia 22313-1450

#8  
V7  
2/9/04

Sending:  
✓ 3 Pages of Claims amendments  
✓ 33 Pages of specifications  
✓ Copy of Provisional Receipt  
✓ Copy of letter sent with non-provisional

Ref: Application / Control number: 09/828,195 and associated provisional application number 60/195,347

This is in response to the action taken by examiner Marky M. Kidd (dated 05/08/2003) rejecting all claims pertaining to this patent application.

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AUG 14 2003

Our application claims the priority of provisional application # 60/195,347. This priority was not given to us even though a letter was sent (copy of that letter is attached again with this letter) stating this priority request with our non-provisional application filing. It appears that the letter was just ignored by the USPTO. A copy of that letter is attached here for your reference. This is important because this proves that we had an earlier filing date (our date would then be 04/10/2000) than Shawn Thomas Segur's application (US 6,212,550 dated 04/2001) – which has been referenced in Marky M. Kidd's "actions" and has been granted a patent. If Segur with a later filing date has been granted a patent, we, with an earlier filing date, should also be granted a patent.

We do not agree with several of the explanations given by Marky M. Kidd while rejecting our claims. However, amendments in claims and specifications have been made and are being resubmitted for your kind consideration. We have no amendments to figures at this point.

The claims have been reformatted in a logical flow and in one-sentence formats claiming uniqueness in methods used in this invention. Ambiguous terms, such as, "etc." have been removed and redundant use of parenthesis have also been removed.

We also strongly disagree with explanations provided by the patent examiner while rejecting our claim number 3, which pertains to "automatic escalation of delivery of messages". The examiner admits that the other inventors (Fortman) are "silent" on this topic and also cites a different idea of escalation from Segur (who, as stated above, has a later filing date than ours). While Segur's system does escalation based on urgency in the callers voice or the caller choosing a higher priority, our invention does automatic escalation based on a pre-selected hierarchy of chosen messaging devices. This is totally different and is NOT obvious contrary to explanation given by the examiner (ref: examiner's "DETAILED ACTION" document - page 6). Therefore, 35 U.S.C (103)a as cited by the examiner does not apply here and it appears that the examiner is giving undue credit to other inventors.

Please re-examine our application and you will realize that the invention methods described in the application is indeed unique.

Thank you so very much!

*Sanjiv K. Agarwal Shivum Agarwal Neetu Agarwal*  
Sanjiv K. Agarwal      Neel Agarwal  
Neetu Agarwal  
Shivum Agarwal  
Neil Agarwal

Cc: M. Diaz, Patent Attorney

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AUG 14 2003

Technology Center 2600

Date Mailed: 06/22/2000

Sanjiv (Sam) K Agarwal  
1300 Chesterton Drive  
Richardson, TX 75080



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Neetu Agarwal, Richardson, TX ;  
Shivum Agarwal, Richardson, TX ;  
Neil Agarwal, Richardson, TX ;

**- COPY -**

This shows we  
had a provisional  
patent receipt  
which we  
referenced with  
our non-  
provisional  
filing.

**Continuing Data as Claimed by Applicant****Foreign Applications**

If Required, Foreign Filing License Granted 06/21/2000

**Title**

Electronic messaging engines

**Preliminary Class**

Data entry by : TRAN, NHU THUY

Team : OIPE

Date: 06/22/2000



US Patent and Trademark Office  
Attn: Assistant Commissioner for Patents  
US Department of Commerce  
Patent and Trademark Office  
Washington, D.C. 20231

04/07/2001

REF: APPLICATION FOR PATENT

Dear Sir/Madam:

WE had filed a "Provisional Patent" (Application number: 60/195,347 and Filing Date 04/10/2000). A copy of the receipt is attached with this letter for your reference.

We are now sending you our non-provisional specifications and drawings. Please process these documents honoring the date when we had filed the provisional patent application (04/10/2000).

Thank you.



Name of Patent: Electronic Messaging Engines

Name and Address of Inventors

Sanjiv (Sam) K. Agarwal

Neetu Agarwal

Shivum K. Agarwal

Neil K. Agarwal

- COPY -

Phone: (972) 907-1451

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This letter shows & proves that we referenced our provisional patent with our non-provisional filing.